

MEMO

To: Planning & Zoning Commission
From: Dana Burkhardt, Planning Consultant
Date: August 25, 2014
RE: Zoning Code Final Review Draft

RECOMMENDATION:

The Zoning Code Rewrite Task Force and staff recommend the Planning & Zoning Commission initiate the June 2, 2014 (current) Zoning Code Rewrite draft and August 11, 2014 Single Family Residential Design Guidelines for adoption, subject to the recommended amendments included herein.

SUMMARY:

The purpose of this agenda item is to discuss the draft Zoning Code and to initiate the Code for public hearing and adoption. At the July 28 Planning & Zoning Commission meeting, the Commission requested a joint Zoning Code Rewrite Task Force and staff recommendation, including guidance on the following four topics:

- 1) Article 101.06 Rules of Transition, including Art. 510 PAD Procedures
- 2) Article 301 Master Land Use Plan Required Overlay District
- 3) Article 402 Adequate Public Facilities Article; and
- 4) The proposed Single Family Design Guidelines Manual

The Zoning Code Rewrite Task Force and staff recommend the Planning & Zoning Commission initiate the draft Zoning Code and Single Family Residential Design Guidelines for adoption with the following amendments:

- 1) Revise Article 302 to apply the TC Overlay to the first 150 feet of properties fronting John Wayne Parkway (SR 347), Smith Enke Road west of John Wayne Pkwy (SR 238), and Maricopa-Casa Grande Hwy unless requested by property owner to increase beyond 150 feet.; and Amend Section 302.04.A "Prohibited Uses", by removing item 7, Off-Track Betting Establishments from the list of prohibited uses, and amend 302.04.A.2 - General Industrial Uses are permitted, however, only indoor business activities and uses, parking, landscaping, and other improvements and uses determined to meet the intent of this code by the Planning & Zoning Commission may occur within the Transportation Corridor Overlay.



- 2) Contrary to the findings and discussion provided in the staff recommendation to the Task Force, remove Article 301, Master Land Use Plan Required Overlay District, in its entirety, along with all references within the Code.
- 3) Amend Article 402, Adequate Public Facilities, by deleting the second sentence of Article 402.01 B, Applicability. The recommended language reads as follows:

“This Article provides general requirements for all new development to ensure that public facilities such as fire access, sewer, water, and storm drainage systems, and other facilities that are located within public rights-of-way, easements, and on land owned by the City. All new development in the City shall meet the minimum established service levels for new development. Conformance with the City’s adopted plans, Engineering policies, and related standards in the City’s subdivision regulations also is required”.

- 4) Article 502.11 B. “Extensions”, delete the word “approval” in first sentence, and modify Article 502.13 “Revocation of Permits and Approvals” opening paragraph by inserting before the last sentence, the following:

“Zoning revocation shall only be processed in the same manner prescribed by ARS 9-462.01E”

- 5) Amend Tables 501.11, 502.06 and 502.14 to consistently describe the criteria distinguishing a Major and Minor Development Review Permit by footnote within each respective table.
- 6) Article 511.03 B. “Zoning of Annexed Properties”, delete and replace existing text with reference to ARS provision for zoning annexed land (ARS 9-471 (L) and 9-462.04 E.)

9-462.04 E. A municipality may enact an ordinance authorizing county zoning to continue in effect until municipal zoning is applied to land previously zoned by the county and annexed by the municipality, but in no event for longer than six months after the annexation.

- 7) Revise Article 101.05 and 101.06 Rules of Transition, to include the proposed edits shown in Attachment A.
- 8) Revise Article 510 PAD Procedures, to include the proposed edits shown in Attachment B.
- 9) Revise Article 202.03 Single Family Zoning District Development Standards, to include the following provisions:
 - a) Along local streets only, the street side setback may be reduced to five feet from the lot line if a landscaped tract or easement of 10 feet is provided;
 - b) A minimum distance of 18 feet between the garage door and the sidewalk shall be provided to accommodate adequate off-street parking.
 - c) Detached garages shall be located in the rear half of the lot. The Zoning Administrator may approve a detached garage in the front half of the lot subject to the front setback requirements of the District

- where the size, shape, location, surroundings, or existing structures make it infeasible to locate the garage in the rear half of the lot.
- 10) Accept the August 11, 2014 draft Single Family Residential Design Guidelines, Attachment C.

Should the Commission vote to initiate the draft Zoning Code on August 25, the following review schedule may be considered:

- Aug. 25 – P&Z review and discussion. Direction to staff on updates to the code draft, which may include initiation of the Public Hearing Draft. Discuss the schedule for review and public hearing dates. A minimum of one public hearing will be scheduled at time of initiation, to be advertised no sooner than 15 days prior to the public hearing.
- Sept. 8 - P&Z Commission work study session if requested by the members of the Commission. No public hearing
- Sept. 22 – 1st P&Z public hearing for the proposed Zoning Code adopting ordinance and possible recommendation to City Council. If the Commission forwards a recommendation to City Council, 1st Council public hearing could be October 21.
- Oct. 13 – 2nd P&Z public hearing if a recommendation to City Council is not made on Sept. 22. If the Commission forwards a recommendation to City Council, 1st Council public hearing could be November 4.

Additional meetings may be scheduled as necessary.

- Attachments:
- A – Article 101.06 Rules of Transition recommended language
 - B – Article 510 PAD Procedures, revised
 - C – Single Family Residential Design Guidelines 8/11/14